

# PROSECUTOR KNOWS WHO KILLED HALL

To-night's Weather—FAIR AND COLDER.

To-morrow's Weather—FAIR.

THE EVENING  
WORLD  
**FINAL EDITION**

The

Evening

World.

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## PROPOSES BEER AND WINE TAX TO PAY BONUS

### REPUBLICAN HOLD ON ASSEMBLY CUT TO 12 IN LATE COUNT

Democrats Gain Two Seats To-Day and More Are in Doubt.

LUSK LAWS DOOMED. Re-Establishment of Direct Primary, New Governor's Biggest Job.

Republican control of the Assembly appears to be slipping as complete returns of the election come in. The Democrats gained two seats in the final count to-day and probably will gain more as the result of contests in close districts where recounts will be demanded. The apparent Republican majority in the Assembly has been cut to twelve and Governor Smith will be able to handle an adverse majority of that size quite easily because of his long legislative experience.

John P. Conroy, Democrat, was elected in the 8th District over Kemper, his Republican opponent. The official count discloses that Robert R. Livingston, Democrat, defeated Roscoe C. Waterbury in Columbia County. Mr. Waterbury is the present Assemblyman from that district.

Although Sol Utman is apparently five votes ahead in the 6th Assembly District, his Democratic opponent, Morris Weinfeld, does not concede his election. An official count will be required to settle this contest, as the Republican and Democratic inspectors are deadlocked over the advisability of twelve ballots cast in the 17th Election District and the result is locked up in those ballots. If they are admitted, Weinfeld wins.

Gov. Elect Smith spent the day in his headquarters at the Biltmore. He has received thousands of congratulatory telegrams from every State in the union and his mail is piling up in mountainous quantities. In accordance with his unvarying custom, he will personally acknowledge each congratulatory note. He has already answered several hundred.

The total vote cast for Smith was 1,415,804. That for Miller was 1,011,822. Miller's plurality up-State was 17,415, as contrasted with 594,000 above the Bronx two years ago. Smith's New York City plurality was approximately 60,000 in excess of that given Mayor Hylan in the city last year.

Dr. Royal S. Copeland's plurality in the State over United States Senator Calder was 284,015, with 240 election districts to be heard from. With one district to be heard from, Copeland's plurality in New York City was 356,422.

Close to complete returns on other Democratic State offices showed George R. Lunn of Schenectady, and Wade for Lieutenant Governor, with the largest margin, 190,720, over his Republican opponent, Col. William J. Donovan of Buffalo. James W. Fleming of Troy, Comptroller-elect, received the smallest plurality, 108,838, in the race with William C. Maier, Republican, of Seneca Falls.

Gov. Miller was far the weakest man on the Republican ticket. He ran from 25,000 to 73,000 behind his State Engineer, polled 35,000 votes less than on the ballot. Cadie, for

### Beer and Light Wine Tax Proposed Now to Provide for Soldier Bonus

Would Provide for Brew of 4 Per Cent. and Wines of Not Over 14 Per Cent.

CHICAGO, Nov. 9.—The Soldiers' Bonus Bill with an additional provision to pay the bonus by a tax on light wines and beer will be introduced by Congressman Fred A. Britten of Illinois, he announced here to-day.

Representative Britten declared that the addition providing for a beer and wine tax would be drafted so as to make it supersede the definition of intoxicating liquor carried on the Volstead Enforcement Act.

"My addition to the Bonus Bill will provide a tax of \$19 a barrel on beer, \$2 a gallon on domestic wines, \$4 a gallon on imported still wines, and \$5 a gallon on imported champagnes," he said.

"The beer so provided will be limited to an alcoholic content of 4 per cent. and the wine to 14 per cent."

"This tax, I am certain, will pay the bonus and all expenses incident to its payment. And, in the course of five years, the tax can be lowered as the bonus liability is reduced."

Representative Britten said his bill would be introduced at the special session of Congress if President Harding issued a call for one.

WASHINGTON, Nov. 9.—Proposals for the legislation modifying the Volstead Act with respect to the sale of beer and light wines were regarded to-day at the Treasury as extremely likely as a result of the outcome of Tuesday's election.

In the meanwhile, however, Secretary Mellon was reported as holding that the Treasury's policy of a strict enforcement of the Prohibition laws would continue unchanged, despite the expression of public opinion in different States, until Congress acts.

Unless the question actually comes up in Congress, high Treasury officials indicated, little consideration will be given to the possible source of revenue which might be developed from taxes on beer and wine.

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### HARDING FACES SERIOUS REVOLT IN NEXT CONGRESS

Forced Into Position Where He Must Act Quickly or Lose Control.

HIS FRIENDS DEFEATED.

May Not Call Session Next March, Putting Off Fight for Year.

By David Lawrence.

(Special Correspondent of The Evening World.)

WASHINGTON, Nov. 9 (Copyright).—The American people voted into power on Tuesday a new Congress, but it may be December of next year before the Senate and House will be organized in accordance with the wishes of the electorate.

Unless President Harding calls a special session when the present Congress goes out of office on March 4 next, the country will have to wait until December, 1923, to see in action the Congress elected this week, and the chances are that the Presidential primary campaigns of 1924 will be in full swing before the new Senate and House get down to work. In fact, the two national conventions in June, 1924, will be held after only one session of the new Congress in which the majority and minority parties can make their respective records.

Mr. Harding has called a special session for Nov. 20 of this year, but that is merely to speed up the present Congress and give it an opportunity to dispose of ship subsidy and other important legislation before the regular session begins in December, which runs by law only until March 4. This short session will not afford much opportunity for anything else but routine appropriation bills, which were swept into office in 1920 will control both Houses until March 4.

The President may find himself compelled by the pressure of public opinion to summon the new Congress within a month or so after March 4, 1923. Woodrow Wilson lost both the Senate and House in the autumn of 1918 and need not have brought Congress here until Dec. 1, 1919, but he called a special session shortly after the Democrats relinquished their control on March 4, 1919.

The big question for the politicians to decide is whether it will be better for President Harding and the Republican party to postpone the beginning of the new Congress until the regular session in December, 1923, or to enter the fray sooner. With the narrow majority in Senate and House, Mr. Harding will be face to face with the task of driving Congress his way or being driven in every direction by the legislative branch of the Government. He will not be able to count on as much help as heretofore because the "bloc" system of government will be in full swing.

The Republican losses in Congress have been vital. Conservatives have been defeated, and if Democrats have not taken their places, radical Republicans, which is to some extent even more disturbing, have triumphed and will be a thorn in the side of any leader who attempts reconciliation or harmonious party organization.

The possibility that Senator Henry Cabot Lodge will resign the Republican leadership is being widely discussed here. Mr. Lodge's health recently has not been good, and the truth is it will take a younger and more vigorous personality to deal with the rebellions in the Republican Party which are bound to come out of the Western membership. Even Senator Underwood, the Democratic leader, wishes to resign the minority leadership because he is unequal to the strain physically.

With the elimination of Representative Mondell, Republican leader of the House, it looks as if Representative Nicholas Longworth of Ohio

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### ALVIN UNTERMYER'S EX-WIFE TO MARRY FILM ACTOR, RUMOR



Mrs. ALVIN UNTERMYER.

LOS ANGELES, Cal., Nov. 9.—Mrs. Nina Untermyer, a divorcee, is about to be married to Elliott Dexter, film actor, according to rumors in the Hollywood screen colony. These reports grow out of seemingly significant circumstances and reported statements at Riverside.

Mrs. Untermyer received her interlocutory decree of divorce from Alvin Untermyer, son of Samuel Untermyer, New York attorney, Nov. 1, 1921. The divorce was granted by Superior Judge George Freeman of Riverside County, on the grounds of desertion.

Mrs. Untermyer lives on the top floor with her husband, Anthony, and their five children. In her dream she saw flames leaping through the house. Jumping up suddenly, although not yet wide awake, she screamed "The house is on fire!" Her husband tried to get her to go back to sleep, but the dream had made such an impression on her she insisted that he search the house.

While Berotti was still trying to pacify her she told him to listen, that she heard footsteps on the roof, then on the creaky stairs leading from the roof. Berotti replied it was her imagination and advised her to try to go back to sleep. To humor her he went to a front window and saw a man wearing a long, dark overcoat and a cap disappear rapidly in 156th Street.

Noticing a glow under his door, Berotti opened it and saw against Postman Fraher's door a big blaze. He called Charles Goshen, another tenant, and they tried to put out the fire with buckets of water but failed. Then they went through the house, aroused the sixty tenants and led them to the street.

In the meantime somebody had sent an alarm, and as no one knew there was a fire except those inside the house, the police believe the firebug himself may have turned it in after starting the blaze "to see the engines in action." The fire was extinguished before it had done much damage. Deputy Fire Chief Samuel Pollin reported that it had been started with a match and a can of kerosene.

Policeman Fraher's wife said they had never received any threats as far as she knew and that she knew of no one who thought he had a grievance against her husband because of anything in connection with his police work.

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### WOMAN'S DREAM SAVES 60 LIVES AS HOUSE BURNS

Saw Flames Leaping Through Building, Awakes to Find Blaze Real.

STARTED BY FIREBUG.

Pyromaniac Sought Vengeance on Policeman at No. 752 Westchester Avenue.

Sixty lives, endangered at 1.30 A. M. to-day by a man who either may have been seeking vengeance against a policeman or who may be a pyromaniac, were saved by Mrs. Jessie Berotti's nightmare at No. 752 Westchester Avenue, Bronx. He built a fire against the hall door of Policeman Richard Fraher's apartment in which Mrs. Fraher and their six children were asleep. Fraher is attached to the East 104th Street Station and was on post.

Mrs. Berotti lives on the top floor with her husband, Anthony, and their five children. In her dream she saw flames leaping through the house. Jumping up suddenly, although not yet wide awake, she screamed "The house is on fire!" Her husband tried to get her to go back to sleep, but the dream had made such an impression on her she insisted that he search the house.

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### GRAND JURY FIXING DATE TO CONSIDER INDICTMENT OF THREE FOR HALL MURDER

New and Sensational Evidence Obtained by Mott and Aids Is Indication — Member of Slain Rector's Church to Be Accused of Firing Shots That Slew Him and Mrs. Mills.

(Special From a Staff Correspondent to The Evening World.)

NEW BRUNSWICK, N. J., Nov. 9.—Prosecutor Wilbur A. Mott, appointed Deputy Attorney General to supersede the Prosecutors of Somerset and Middlesex Counties in the Hall-Mills murders, came out of the Somerville Court House to-day after a conference with other authorities in an obviously impatient and disappointed mood.

Mr. Mott had talked for an hour with Prosecutor Beckman; Col. Schwartzkopf, commander of the State Constabulary; detectives, and Albert Gibb, foreman of the Grand Jury. The meeting was to confer on the day, early next week, on which the Grand Jury should meet to consider the murders.

"The Grand Jury will not be summoned this week," said Mr. Mott, and refused to answer any questions except to say that he was not coming to New Brunswick and wouldn't say where he was going.

The authorities are apparently confronted with their time-worn difficulty in making the results of their investigation into evidence which will be binding before a jury. They have reconstructed the crime. They believe they know what happened. But the sworn narratives are not yet obtainable.

The actual slayer is said to be known. He was not identified by Mrs. Jane Gibson, the "eyewitness." He is a member of Mr. Hall's church and is familiar with it, not an expert on firearms. It is not one of Mrs. Hall's brothers. The murder weapon has not been found.

The time of the murder now has been fixed at 10:29 P. M. Four witnesses are said to corroborate parts of Mrs. Gibson's story and give it a framework that the investigators believe will enable it to stand.

It is said that the experts called in recently to take fingerprints of various articles of clothing and other exhibits stumbled on a valuable aid in the slayer when the rector when he was slain. Fingerprints were found on both the bosom and cuffs of the shirt, it is understood, and may have been left by the murderer. To what extent these fingerprints aided in establishing the identity of the slayer is not known at present. But persons close to the authorities say that the new developments that will clear up everything are the positive identification of the murderer, and the finding of the four witnesses who corroborate, in part, Mrs. Gibson.

This man, "the woman in gray" and a third man will be indicted on a charge of first degree murder, though the third man is not believed to have seen the crime.

INQUIRY ENTERS LAST STAGE TO-DAY.

It is possible that he may tell all he is believed to know when he finds it is necessary to save himself, and that his silence can no longer aid any one. Whether he drove the car that carried the murder party, or happened to be near the scene in another car, is not revealed by the investigators.

A constant watch is kept on the woman and two men whose indictment is looked for, and should any effort be made to leave the State arresta will be made in advance of indictments.

After Prosecutor Mott and Detective Mason confer in Somerville this morning, they will return to New Brunswick to question Charlotte Mills and her attorney, Florence M. North, this afternoon.

The conduct of some of the witnesses who are to be called before

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